

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Richard Maurice Walmsley

Serial No: 10/565,821

Filed: January 24, 2006

Confirmation No.: 9640

For: GENOTOXICITY TESTING

Group Art Unit: 1656

Examiner: Alexander D. Kim

I hereby certify that this correspondence is being transmitted via electronic filing to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

July 16, 2008

Date of Deposit

Vivian Gutierrez

Name

Signature

07/16/2008
Date

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Restriction Requirement dated April 16, 2008, the time for response to which is extended two months by the accompanying petition from May 16, 2008 to July 16, 2008, Applicant hereby elects without traverse the invention of Group I (claims 1-25), and elects yeast RAD54 gene as the elected species for further prosecution on the merits in the subject application.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned at the Los Angeles, California telephone number (310) 785-4600 to discuss the steps necessary for placing the application in condition for allowance.

Respectfully submitted,

HOGAN & HARTSON L.L.P.

By: Natalie A. Davis

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Date: July 16, 2008

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